

Illinois Regulation is a summary of the weekly regulatory decisions of State agencies published in the Illinois Register and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules. Illinois Regulation, also titled The Flinn Report in memory of founding JCAR member Rep. Monroe Flinn, is designed to inform and involve the public in changes taking place in agency administration.

New Rules

■ WATER SYSTEMS

The POLLUTION CONTROL BOARD adopted amendments to Introduction (35 IAC 601; 39 Ill Reg 14224), Permits (35 IAC 602; 39 Ill Reg 14239) and Ownership and Responsible Personnel (35 IAC 603; 39 Ill Reg 14289), all effective 4/15/16, concerning design standards, permitting procedures, and operation of public water systems. Amendments to Part 601 incorporate by reference national standards for design and construction of water systems, which must be met in order to qualify for a construction permit. Since 1st Notice, PCB has amended several definitions. The Part 602 rulemaking consolidates the PCB and IEPA water supply permitting rules (formerly found in 35 IAC 652) into this Part. Changes since 1st Notice include clarifications of information to be included in

permit applications and reports and of the criteria for restricted status. Amendments to Part 603 implement statute requiring community water supplies to designate a "responsible operator in charge" and delineating the duties and responsibilities of the operator. An administrative contact may also be designated to serve as the agent of the owner or official custodian and receive notices in their place. Those affected by these rulemakings include municipal water systems.

Questions/requests for copies of the 3 PCB rulemakings: Mark Powell, PCB, 100 W. Randolph St., Suite 11-500, Chicago IL 60601, 312/814-6887, mark.powell@illinois.gov. Copies of the Board's opinion and order may be downloaded at www.ipcb.state.il.us. Please reference docket R15-22.

Proposed Rulemakings

■ TEACHERS' RETIREMENT

The TEACHERS' RETIREMENT SYSTEM proposed amendments to The Administration and Operation of the Teachers' Retirement System (80 IAC 1650; 40 Ill Reg 6770). First, the definitions of "amounts earned by a member" and "gainful employment" are being revised to clarify that amounts contributed to a tax deferred retirement plan or other similar account do not reduce a benefit recipient's earned income for gainful employment purposes. Prescribed earned amounts earned outside of a recipient's disability payment impose a ceiling on outside income earned by a recipient in order to still be entitled to disability income. Also, a new Subpart R is added to address Tier II members (those who began work after 1/1/11)

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NEW RULES: Rules adopted by agencies this week. **EMERGENCY RULES:** Adopted for a temporary period not to exceed 150 days.

PROPOSED RULES: Rules proposed by agencies this week, commencing a 45-day First Notice period during which public comments must be accepted.

PEREMPTORY RULES: Rules adopted without prior public notice or JCAR review as authorized by 5 ILCS 100/5-50.

■ Designates rules of special interest to small businesses, small municipalities, and not-for-profit corporations. Agencies are required to consider comments from these groups and minimize the regulatory burden on them.

QUESTIONS/COMMENTS: Submit mail, email or phone calls to the agency personnel listed below each summary.

RULE TEXT: Available on the Secretary of State (www.cyberdriveillinois.com) and General Assembly (www.ilga.gov) websites under Illinois Register. Second Notice text (original version with changes made by the agency during First Notice included) is available on the JCAR website.

Proposed Rulemakings

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regarding disability benefits, determination of a member's final average salary, and calculation of a member's disability retirement annuity. Salary limitations on Tier II members for purposes of contributions shall be applied without regard to whether a member has earnings in a reciprocal pension system.

Questions/requests for copies/comments through 6/13/16: Cynthia Fain, TRS, 2815 W. Washington, PO Box 19253, Springfield IL 62794-9253, 217/753-0375.

■ SCHOOLS

The STATE BOARD OF EDUCATION proposed amendments to Programs for the Preparation of Principals in Illinois (23 IAC 30; 40 Ill Reg 6743) broadening the type of staff eligible to mentor principal candidates and updating a

cross-reference to 23 IAC Code 25. SBE also proposed an amendment to Programs for the Preparation of Superintendents in Illinois (23 IAC 33; 40 Ill Reg 6752) updating a cross-reference to 23 Ill Adm Code 25. Finally, SBE proposed amendments to Early Childhood Block Grant (23 IAC 235; 40 Ill Reg 6758) establishing standards for block grants for training, technical assistants and high-quality supports and programs for web-based services. Standards include criteria for eligible applicants, application procedures, review of programs and grant terms. School districts will be affected by these rulemakings.

Questions/requests for copies/comments on these 3 SBE rulemakings through 6/13/16: Shelley Helton, SBE, 100 N. 1st St, S-493, Springfield IL 62777-0001, 217/782-5270, rules@isbe.net

■ SURGERY CENTERS

The DEPARTMENT OF PUBLIC HEALTH proposed amendments to Ambulatory Surgical Treatment Center Licensing Requirements (77 IAC 205; 40 Ill Reg 6722) that implement Public Act 98-1123, which amended the definition for ASTCs and added a requirement for compliance with federal rules as a certification prerequisite. The rulemaking revises conditions of licensure, specifically adding change of ownership requirements similar to those in DPH's Hospital Licensing Requirements, and clarifies requirements for the post-procedure examination of removed tissues. Healthcare providers that operate ASTCs are affected by this rulemaking.

Questions/requests for copies/comments through 6/13/16: Elizabeth Paton, DPH, 535 W. Jefferson St., 5th Flr., Springfield IL, 62761, 217/782-2043, e-mail: dph.rules@illinois.gov.

Joint Committee on Administrative Rules

Senator Bill Brady
Senator Karen McConnaughay
Senator Matt Murphy
Senator Don Harmon
Senator Tony Muñoz
Senator Ira Silverstein

Representative Greg Harris
Representative Lou Lang
Representative David Leitch
Representative Ron Sandack
Representative André Thapedi
Representative Michael Tryon

Vicki Thomas
Executive Director

Second Notices

The following rulemakings were moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. These rulemakings will be considered at the Committee's May 10, 2016 meeting. Other items not published in the *Illinois Register* or The Flinn Report may also be considered. Further comments concerning these rulemakings should be addressed to JCAR using the contact information on page 1.

OFFICE OF THE ATTORNEY GENERAL

Hospital Financial Assistance under the Fair Patient Billing Act (77 IAC 4500; 40 Ill Reg 3425)
proposed 3/4/16

DEPT OF NATURAL RESOURCES

Raccoon, Opossum, Striped Skunk, Red Fox, Coyote, and Woodchuck (Groundhog) Hunting
(17 IAC 550; 40 Ill Reg 1413) proposed 1/22/16

Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Badger,
River Otter, Beaver and Woodchuck (Groundhog) Trapping (17 IAC 570; 40 Ill Reg 1430)
proposed 1/22/16

DEPT OF PUBLIC HEALTH

Manufacturing, Processing, Packing or Holding of Food Code (77 IAC 730; 40 Ill Reg 322)
proposed 1/8/16

Plumbers Licensing Code (68 IAC 750; 39 Ill Reg 14297) proposed 11/6/15

DEPT OF REVENUE

Medical Cannabis Privilege Tax Law (86 IAC 429; 40 Ill Reg 3173) proposed 2/19/16